

Proposed Rule Amendment: CHAPTER 341. LICENSE RENEWAL, specifically

**§341.1 Requirements for Renewal,
§341.6. License Restoration,
§341.8. Inactive Status, and
§341.9. Retired Status, Performing Voluntary Charity Care**

Summary of Amendment: The amendments are proposed in order to add criminal background checks through the Department of Public Safety and the Federal Bureau of Investigation obtained through fingerprinting to the requirements for renewing or restoring a physical therapist or physical therapist assistant license unless the licensee has previously submitted fingerprints for initial issuance of licensure or for a prior license renewal or restoration.

<rule>

§341.1. Requirements for Renewal.

(a) – (b) No change.

(c) General requirements. The renewal application is not complete until all required items are received by the board. The components required for license renewal are:

(1) a completed renewal application documenting completion of board-approved continuing competence activities, as described in §341.2 of this title (relating to Continuing Competence Requirements);

(2) the renewal fee, and any late fees which may be due; ~~and~~

(3) a passing score on the jurisprudence examination; and [-]

(4) a criminal history record report from the Department of Public Safety and the Federal Bureau of Investigation obtained through fingerprinting. A licensee is not required to submit fingerprints for the renewal of the license if the licensee has previously submitted fingerprints under:

(A) §329.1. for the initial issuance of the license; or

(B) Chapter 341. License Renewal as part of a prior license renewal or restoration.

(d) – (f) No change.

§341.6. License Restoration.

(a) - (b) No change

(c) Persons who are currently licensed in good standing in another state, district, or territory of the U.S. The requirements for restoration are:

(1) a completed restoration application form;

(2) a passing score on the jurisprudence examination;

(3) verification of Licensure from all states in which the applicant holds or has held a license; ~~and~~

(4) the restoration fee; and-

(5) a criminal history record report from the Department of Public Safety and the Federal Bureau of Investigation obtained through fingerprinting. A licensee is not required to submit fingerprints for the renewal of the license if the licensee has previously submitted fingerprints under:

(A) §329.1. for the initial issuance of the license; or

(B) Chapter 341. License Renewal as part of a prior license renewal or restoration.

(d) Persons who are not currently licensed in another state or territory of the U.S.

(1) A licensee whose Texas license is expired for one to five years. The requirements for restoration are:

(A) - (C) No change.

(D) verification of Licensure from all states in which the applicant has held a license; ~~and~~

(E) a criminal history record report from the Department of Public Safety and the Federal Bureau of Investigation obtained through fingerprinting. A licensee is not required to submit fingerprints for the renewal of the license if the licensee has previously submitted fingerprints under:

(i) §329.1. for the initial issuance of the license; or

(ii) Chapter 341. License Renewal as part of a prior license renewal or restoration.

(F) ~~(E)~~ demonstration of competency. Competency may be demonstrated in one of the following ways:

(i) - (iii) No change.

(2) A licensee whose Texas license is expired for five years or more may not restore the license but may obtain a new license by taking the national examination again and getting a new license by relicensure. The requirements for relicensure are:

(A) - (B) No change.

(C) the application fee; ~~and~~

(D) a passing score on the national exam, reported directly to the board by the Federation of State Boards of Physical Therapy; and [-]

(E) a criminal history record report from the Department of Public Safety and the Federal Bureau of Investigation obtained through fingerprinting. A licensee is not required to submit fingerprints for the renewal of the license if the licensee has previously submitted fingerprints under:

(i) §329.1. for the initial issuance of the license; or

(ii) Chapter 341. License Renewal as part of a prior license renewal or restoration.

§341.8. Inactive Status.

(a) – (c) No change.

(d) Requirements for reinstatement of active status. A licensee on inactive status may request a return to active status at any time. The components required to return to active status are:

(1) a signed renewal application form, documenting completion of board-approved continuing competence activities for the current renewal period, as described in §341.2 of this title;

(2) the renewal fee, and any late fees which may be due; ~~and~~

(3) a passing score on the jurisprudence exam; and [-]

(4) a criminal history record report from the Department of Public Safety and the Federal Bureau of Investigation obtained through fingerprinting. A licensee is not required to submit fingerprints for the renewal of the license if the licensee has previously submitted fingerprints under:

(A) §329.1. for the initial issuance of the license; or

(B) Chapter 341. License Renewal as part of a prior license renewal or restoration.

(e) No change.

§341.9. Retired Status; Performing Voluntary Charity Care.

(a) – (c) No change.

(d) Requirements for initiation of retired status. The components required to put a license on retired status are:

(1) – (2) No change.

(3) the retired status fee and any late fees which may be due; [~~and~~]

(4) a passing score on the jurisprudence exam; and [-]

(5) a criminal history record report from the Department of Public Safety and the Federal Bureau of Investigation obtained through fingerprinting. A licensee is not required to submit fingerprints for the renewal of the license if the licensee has previously submitted fingerprints under:

(A) §329.1. for the initial issuance of the license; or

(B) Chapter 341. License Renewal as part of a prior license renewal or restoration.

(e) Requirements for renewal of retired status. A licensee on retired status must renew the retired status every two years on his/her license renewal date. The components required to renew the retired status are:

(1) – (2) No change.

(3) the retired status renewal fee, and any late fees which may be due; [~~and~~]

(4) a passing score on the jurisprudence exam; and [-]

(5) a criminal history record report from the Department of Public Safety and the Federal Bureau of Investigation obtained through fingerprinting. A licensee is not required to submit fingerprints for the renewal of the license if the licensee has previously submitted fingerprints under:

(A) §329.1. for the initial issuance of the license; or

(B) Chapter 341. License Renewal as part of a prior license renewal or restoration.

(f) Requirements for reinstatement of active status. A licensee on retired status may request a return to active status at any time. The components required to return to active status are:

(1) a signed renewal application form, documenting completion of board-approved continuing competence activities for the current renewal period, as described in §341.2 of this title, 30 CCUs for PTs and 20 CCUs for PTAs;

(A) proof of voluntary charity care as defined in (b) (1) of this section can count toward up to one-half (1/2) of the continuing competence requirement;

(B) ten (10) hours of voluntary charity care equals 1 CCU.

(2) the renewal fee, and any late fees which may be due; [~~and~~]

(3) a passing score on the jurisprudence exam; and [-]

(4) a criminal history record report from the Department of Public Safety and the Federal Bureau of Investigation obtained through fingerprinting. A licensee is not required to submit fingerprints for the renewal of the license if the licensee has previously submitted fingerprints under:

(A) §329.1. for the initial issuance of the license; or

(B) Chapter 341. License Renewal as part of a prior license renewal or restoration.

(g) – (j) No change.